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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NASSER ESA,

Plaintiff,

vs.

LOCKHEED MARTIN FLEXIBLE
BENEFITS PLAN, LOCKHEED MARTIN
GROUP UNIVERSAL LIFE PLAN, LIFE
INSURANCE COMPANY OF NORTH
AMERICA, and THE PRUDENTIAL
INSURANCE COMPANY OF AMERICA,

Defendants.

Case No.: C 10-3977 JF

**NOTICE OF SETTLEMENT AND
~~PROPOSED ORDER TO CONTINUE~~
CASE MANAGEMENT CONFERENCE**

Plaintiff, Nasser Esa, and defendants, Lockheed Martin Flexible Benefits Plan, Lockheed Martin Group Universal Life Plan, Life Insurance Company of North America, and The Prudential Insurance Company of America have reached an agreement to settle the entire litigation. Plaintiff and defendants Lockheed Martin Flexible Benefits Plan and Life Insurance Company of North America have concluded a final written memorialization of agreement as to plaintiff's first cause of action and have exchanged consideration with respect to that agreement. Plaintiff and defendants Martin Flexible Benefits Plan, Lockheed Martin Group Universal Life

Plan, and The Prudential Insurance Company of America have not yet concluded a final written memorialization of agreement as to plaintiff's second cause of action. The parties anticipate that they will conclude the formal memorialization of the agreement as to the remainder of the action shortly and will file a stipulation to dismiss the case with prejudice. If such formal memorialization of the agreement cannot be reached, the parties will notify the court by September 9, 2011. Pursuant to the above, the parties request that the case management conference currently scheduled for July 29, 2011 be continued to September 23, 2011.

Date: July 25, 2011

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

By: /s/
 Sean Nalty
 Attorneys for Defendants
 LOCKHEED MARTIN FLEXIBLE BENEFITS PLAN
 and LIFE INSURANCE COMPANY OF NORTH
 AMERICA

Date: July 25, 2011

GORDON & REES LLP

By: /s/
 Tad Devlin
 Attorneys for Defendants
 LOCKHEED MARTIN FLEXIBLE BENEFITS PLAN,
 LOCKHEED MARTIN GROUP UNIVERSAL LIFE
 PLAN and THE PRUDENTIAL INSURANCE
 COMPANY OF AMERICA

Date: July 25, 2011

THE LAW OFFICE OF STEVEN M. CHABRE

By: /s/
 Steven M. Chabre
 Attorneys for Plaintiff
 NASSER ESA

ORDER

PURSUANT TO THE NOTICE OF SETTLEMENT, IT IS SO ORDERED that the Case Management Conference scheduled for July 29, 2011 is continued to September 23, 2011.

Date: July 26, 2011.



JEREMY FOGEL
United States District Judge